This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

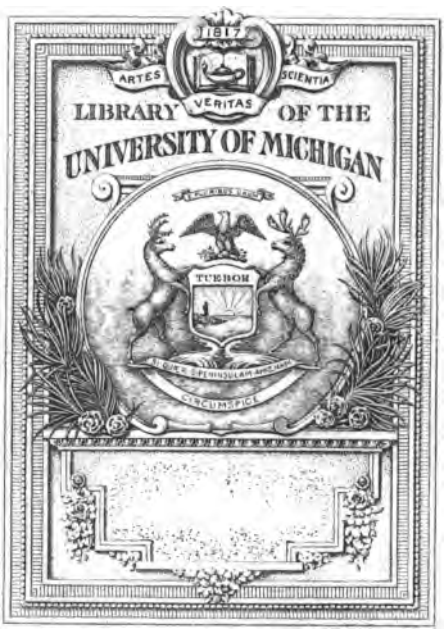
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

415
Q1
M69


1817
ARTES
SCIENTIA
VERITAS
LIBRARY OF THE
UNIVERSITY OF MICHIGAN
TUEBOR
CIRCUMSPICE

V
415
.Q1
M69

THE

NAVAL ACADEMY AT ANNAPOLIS

AND

HAZING;

OR,

THE VINDICATION OF AN HONEST NAME.

BY

P. W. MOELLER,

PRINCIPAL MOELLER INSTITUTE, NEW YORK.

NEW YORK:
BURR PRINTING HOUSE.
1884.

V
415
.21
M67

PREFACE.

DEEPLY interested in the welfare of my son Franklin Moeller, who was, after one year of excellent scholarship and deportment, unjustly dismissed from the Naval Academy at Annapolis, on an alleged charge of hazing, which was not only unsustained, but refuted, and having made every effort to obtain a redress of the grievous wrong done to his reputation, I have concluded to present his case to the public, so that all may know the method of said Academy, and determine whether that is a proper place for the rising generation to receive that education and treatment necessary to fit them for the higher duties of manhood.

The accompanying pages will convince the most sceptic of the apparent determination of certain Government officials to discharge as many naval cadets as possible, in order to keep within the *quota* of naval officers authorized by law, and thus make room for new recruits, furnished as patronage to the Congressional representation.

Such questionable methods are bad, but when their effect is to break down the reputation of respectable and rising young men, it is hard to find a moderate word in

language which correctly expresses the reprehensiveness of the practice.

I write not rashly—six months have elapsed since the so-called trial took place—and I have endeavored to reconcile myself to the result, but it is hard to believe that "might makes right" while smarting under the pernicious influence of such a rule.

Fearing that sympathy for my son might have biassed my judgment, I submitted certified copies of the charges and proofs to the Chief Justice of the City Court of New York, with a request for his opinion upon the subject. His opinion will be found in the following pages. It confirms my belief.

I now submit all to the consideration of a discriminating public, in the hope that the sacrifice of my son may lead to such reforms at Annapolis as will render a similar injustice impossible.

Truly yours,

P. W. MOELLER.

NEW YORK, March 15, 1884.

THE NAVAL ACADEMY AT ANNAPOLIS

AND

HAZING.

THE APPOINTMENT.

It was on the 3d of July, 1882, when two gentlemen came to my house and asked me whether I would send one of my sons to the Naval Academy at Annapolis, as Gen. Anson G. McCook, then Member of Congress, had to fill a vacancy there. I told the gentlemen that I could not give them an answer before I had consulted upon the subject with my family, but would let them know the next day. The result was, that my son Franklin declared his willingness tc accept the offer, without the least compulsion on my part. A few days afterward my son received his appointment as naval cadet, subject to an examination to be passed at Annapolis.

So we did not ask for the appointment, neither was my son persuaded nor compelled to accept it.

MY SON AND A VISIT TO ANNAPOLIS.

When my son entered the Academy, he was seventeen years old, and had never been away from home.

At the age of fifteen, he had entered the School of Arts at Columbia College. By virtue of his work as a student, and his good behavior, he enjoyed a free scholarship there for two years, and was entitled to a third year, when he left for Annapolis.

I hold in my possession all his school reports, from his first school-days up to last April. He grew up in the house where we still live, and if anybody wants to see the reports, or make inquiries about him of our neighbors, he will cordially be shown the former, and introduced to the latter. I venture to say that, as far as a boy can be made perfect by a well-balanced home and school education, inculcated by loving parents and good schools, my son might have passed for a model, and I defy any one to prove the contrary. My farewell words were : " You are my good son."

While at Annapolis we kept up a regular correspondence, and, although his first letters showed some signs of homesickness, yet he never acknowledged that he was homesick. In one of my letters I remarked that I wished his might be more cheerful in tone, on account of his mother, who very likely felt the separation more keenly than he himself. Perhaps I erred in giving this advice. Probably it would have been wiser to let him express his sorrows in full to the hearts dearest to him.

At the end of October, or in the beginning of November, we saw in the newspapers that some third-classmen had been court-martialled for hazing ; now a light dawned upon us, and on our inquiring, he owned that he had also been hazed, but did not say how. On his return home he told me that he had been made to stand on his head, drill in his night-shirt, had been sandwiched, *i.e.*, he had been laid between his mattresses and then some second-classmen

had sat upon him, whereby his foot had been hurt, and he had gone lame for two weeks.

If he had informed me of the latter occurrence, I should have demanded protection for my son from the superintendent, though I doubt that it would have been of any use, as I shall try to prove later on.

In the mean time the Christmas holidays drew nigh, and I started for Annapolis. My heart was overjoyed on seeing my son again, blooming with health, though there was a slight expression of sadness in his face, which I thought might have been caused by our refusal to let him come home on a visit. Perhaps we had made another mistake.

On entering the Academy grounds, I was agreeably surprised at the beautiful situation of the same on the Severn, as well as at the neatness with which they were kept. My son lodged in the old quarters with over forty other cadets from all classes, two in a room. The quarters also, and, in fact, whatever I saw, was in perfect order, and indicative of a well-exercised discipline ; and I said to my son in the presence of some of his comrades : " You live here like princes." They answered : " You think so, but we know better."

I thought their speech showed a boyish dislike of strict discipline and of the military simplicity of life that deprived them of many of the comforts and indulgences of home. So I made no answer and talked about something else ; but in the course of the four days over which my visit extended, I heard so much about privations, hardships, and discomforts, that I felt sure something disagreeable would soon happen. And sure enough, a mutiny broke out in January during the semi-annual examina-

tions, with consequent degradations, imprisonments, and dismissals.

I also paid a visit to the superintendent, who received me very kindly, showed me my son's record and said: "You may well be satisfied with your son." Then I asked to be shown my son's paymaster's accounts, whereupon the superintendent said: "This is a private affair, and, Mr. Moeller, you must know '*that you have given up your son to the United States.*'"

Now, since the United States had adopted my son, would any complaint made by me have been listened to? It is not necessary for me to state here why I wished to see the account; suffice it to say that it was not out of curiosity. I believe the superintendent here made a mistake.

I was also refused permission to visit the class-rooms, for fear some one might be demerited in consequence of my presence.

Tuesday night I bade good-by to my son with the words, "Franklin, I am satisfied with you." Was I truly satisfied? Yes, as far as his physical appearance and his standing were concerned; but his demeanor had changed, a fact which I could not account for.

Time passed on. The semi-annual examinations took place, and the aforementioned mutiny among the cadets broke out. Immediately after I had read an account of the occurrence, I sent to my son the following despatch: "Be silent and obey orders."—Up to January he had received twelve demerits, in January he received twenty-nine more, and in February again twenty-nine more. Surely my apprehensions had been verified. How, we asked ourselves, is it possible that our son conducts himself so badly all at once? The answer came readily, "*The state of things at Annapolis could produce no other results.*"

A sharp reprimand from his mother very likely brought him to his senses again, for in the next month he received only four more demerits.

In the merit-roll of his class he stands number two. Algebra and geometry 24.57, maximum 28 ; English and history 20.40, maximum 24 ; French 20.25, maximum 20 ; drawing 3.63, maximum 4 ; conduct 0.38 — average for the whole class 0.43—aggregate 68.47, maximum 76, 0.64 lower than the cadet who heads the roll, and 0.40 lower in his studies than the same cadet. He is one of the three star members.

After the Commencement, at which, it will be remembered, the cadets showed that the old trouble was not healed yet, my son went to sea in the Constellation, and on his return to Annapolis he was court-martialled for hazing, convicted, and dismissed in disgrace.

HOW THE CADETS ARE EDUCATED.

On the Annual Register of the Academy of 1882–83, there are enumerated one hundred and seventy-one cadet midshipmen and naval cadets, sixty-seven of whom have since been stricken from the roll for one cause or another. The maintenance of these sixty-seven students must have cost the country in pay—a cadet's pay amounts to a little over $600 a year—at least $40,000. The fourth class, then numbering sixty-three members, called "Naval Cadets," has dwindled down to thirty ; at a loss of at least $18,000 to the country.

The immense loss of students was caused by resignations and dismissals for deficiencies in studies and bad behavior.

Of the thirty-three students in the fourth class, whose

names were stricken from the roll, five were turned back to the incoming class, because they failed partly in their studies; twelve resigned for causes which I do not know; eight were dropped, and eight dismissed, seven of whom for hazing.

Not considering the resignations which took place during the year, it speaks very badly for the Academy, that twenty-one students were kept there for a whole year to no purpose, nay, at a great pecuniary loss to the country, and a loss of one year's time to the students. Could this have been avoided? Yes, for the greater part at least, possibly entirely.

During the time which intervened between my son's appointment and his examination at Annapolis, I went with him over the subjects in which he was to be examined, and came to the conclusion that a boy of fourteen or fifteen years, who has attended a good school regularly, must be able to pass such an examination, and that if he cannot, he is not fit for a collegiate education and had better learn a trade.

Now, are the requirements for admission, and the subsequent studies in harmony? Let us see. The Academy requires for admission a knowledge of common arithmetic, and in the first year expects the students to master "Ray's Higher Algebra," "Chauvenet's Geometry," "Church's Descriptive Geometry," and "Wheeler's Trigonometry." It requires a common-school acquaintance with the "History of the United States," and in the first year takes the students through "Freeman's General Sketch of History," and "Elliot's History of the United States." It requires English grammar; it asks the students in the first year to master "Lounsbury's History of the English Language," "Hill's Punctuation," and "Hill's Rhetoric." And in

addition to this rhetoric, this general and special history, this extended and difficult course of mathematics, the students study French and have lessons in drawing, though of neither subject is any knowledge required for admission. It must not be overlooked that a great many other things, such as military drill, gymnastics, work aboard ship, etc., which consume a great deal of time, are also performed in the Academy.

Surely the demands made on the boys' intellect in the first year are not based on correct pedagogical principles, but altogether unreasonable! Verily, it is not the boys' fault when they fail, and are turned back or sent home.

Before the Board of Visitors, annually appointed by the President of the United States, assembled at Annapolis last spring, I had a conversation with one member of that Board on several subjects pertaining to the Academy, and among others I made the following suggestion: "The Board of Visitors should recommend either a higher standard for admission, or the creation of a preparatory department at Annapolis, for the studies there are too difficult for the new-comers."

It is an indisputable fact that, if the studies at the Academy were based on the knowledge which the freshmen actually possess, hardly any would be turned back, or sent home for deficiency; and who can tell how many resigned because they foresaw that there was no chance of their succeeding? And, moreover, among those unfortunate ones there were surely many that meant to graduate from the Academy.

The New York *Sun* of June 11th, 1883, says in this respect: "The curriculum has been made irksome by its exacting provisions and the scope of studies which tax the

powers of the cadet to the breaking point, and yet give him only a smattering of information."

As five fourth-class men were turned back, and eight sent home, because they failed in their studies, the country lost about $7800 in an experiment which could have been avoided, and each boy lost one year's time. I do not know who is to blame for this anomaly, still the superintendent ought to have made the facts known to the proper authority long ago.

In examining the "Programme of Recitations" we find the following subjects mentioned: Seamanship, ordnance and gunnery, mathematics, steam-engineering, astronomy, navigation, surveying, physics, chemistry, mechanics, English history, law, modern languages, drawing; we do not find moral science, ethics, sociology, or any similar study. And again, when we examine General Order No. 13, we find forty misdemeanors enumerated with punishments appended, beginning with: Falsehood, ten demerits; fraud, ten demerits; slander, ten demerits; obscenity or profanity, ten demerits; etc. General Order No. 13 shows plainly that the cadets are far from being considered perfect, but the only means employed at Annapolis, either for curing evil habits, or leading our sons on the road to goodness and keeping them there, is *Punishment!* Everything is done for the intellect and the physique, nothing for morality! There is no appeal to the heart! Don't the commanders, and the captains, and the commodores in charge of our navy and our sons know that intellect and character are two different qualities, which must be cultivated separately, though harmoniously, to produce a perfect being?

The superintendent knows that there is a great deal of wickedness in the boys under his charge, which he clearly

shows by the promulgation of *his* General Order No. 13. Then why does he not try, by regular lessons and lectures on morality or character, to eradicate the evil tendencies in the boys and lead them by the hand of encouragement and love on the road to goodness? No, he says, we have the law, and by the law they shall abide. As if a law had ever made man good! Lying, drinking, stealing, false swearing, murder are rampant in the world in spite of the severest penalties. But men of good morality hardly ever come in conflict with the law.

But this is not all that is wrong at Annapolis. Our sons, some of them only fourteen years old, are taken from the loving bosom of the family and thrust into the cold world at Annapolis; their comrades make fun of them, harass them in every way possible, call them "plebs" and consider them so; the plebs dare not show their faces in the gymnasium (of which I saw an incident during my visit), nor walk on certain walks in the park, etc.

The officers or teachers do not look after them, except that they make them obey orders and study their lessons, by the fear of demerits; neither do they associate with them as a rule, though exceptions occur.

The superintendent works all day in his office, and relies entirely on the reports of his subordinates. Parents, when they send their children to a boarding-school—and the school at Annapolis is nothing else—expect that the principal will take the highest interest in them and see to their wants personally. At Annapolis, the superintendent seems to do only clerk's work. He never came into a class-room or the mess-hall last year. The cadets occasionally saw him in the park, or on the drill ground.

The New York *Sun*, in the article above mentioned,

which is headed, "A kind of management that causes demoralization and provokes mutiny," says also: "All of the institutions of the school have suffered, such as private theatricals, hops, tea-parties, drills and other features of cadet-life." At the hops which took place in the year 1882–83 the "plebs" were present on the roof of the gymnasium, for they were not admitted inside!

In the newspapers our sons are called all sorts of bad names, too repulsive to repeat here. Yet I say, the cadets are as good as any body of boys at any school in the country, when they go to Annapolis, but the treatment which they receive there, as I have shown, is faulty. They are instructed, but not educated, and it is no wonder that they become rude and enjoy such "sports" as hazing.

By using moral suasion much could be done to eradicate the evil gradually, and I say positively that, by adding watchfulness, it could be stopped.

Formerly, hazing was done after ten o'clock; last year, before ten o'clock. The superintendent and all the officers know that hazing is practised in the school, and they also know when; why, then, do they not prevent it either by watching the boys themselves, or by stationing the necessary guards in the corridors, or wherever else it is necessary, as aboard ship? No, the superintendent says, "We have the law, and it must be obeyed;" and it looks to me almost as if he wanted cases so as to get a chance to execute the law. Well, if the superintendent wants to execute the law and punish law-breakers, then he had better put up a number of logs for the boys to practise the sports on! **It was his sacred duty to protect at all hazards the new-comers, and that he did not do!** Our children have been maltreated in consequence

of his neglect of his duty! If the superintendent had protected the new-comers, he would have prevented hazing, and we should not have had the last scandal of a court-martial before the world, our sons' career would not have been interrupted, and several honest family-names would not have been stained!

It seems to me that the superintendent looks upon hazing in the same light as that member of the Board of Visitors whom I mentioned above, who also said to me when we talked about this moral disease—*for a disease it is, which has been perpetuated by the carelessness of the persons in charge of the institution as much as by the thoughtlessness and wickedness of the students*—"You are down on hazing because your son was hazed; but wait, he will do the same thing."

The powers of the superintendent at Annapolis are almost unlimited; he can call a court-martial whenever he sees fit, and approve of its findings or not. His salary is the same all the year round; but I assure him, if he were paid per capita, he would find better ways and means to keep his boys together. Now, when a cadet is dismissed, his place can be filled at short notice.

When I look back upon the year which my son spent at Annapolis, and review all the disturbances there, which have been made public, together with the superintendent's attitude, I am strongly reminded of the fable of the bear that wanted to kill a fly on his master's forehead by smashing it with a rock.

If it will make the Academy better to drive the students away at wholesale, the superintendent has struck the right course, but I fear he is wrong.* The superintendent may

* While the court-martial was in session last September, haz-

be a good captain, but he is a poor schoolmaster. With hard sinners, such as he very likely had under his command, severe punishment was possibly the only means of sustaining discipline; but in a school where boys of fourteen years are educated, encouraging words and kind treatment are requisite, and if the superintendent believes that the soldier can be educated only by severity, he is wrong again. A soldier, with his humanity killed in him from his earliest days, may be courageous, still he is a brute!

Wars among civilized nations are nowadays conducted on the principles of humanity and not of brutality, and all our endeavors in educating our sons and daughters should be based on principles of humanity.

The properly educated man will never flinch in doing his duty when his country calls him, for he understands what he is going to fight for, and he will obey orders readily; whereas the brute can never be relied upon. Our own civil war has furnished proofs enough; but the most striking examples we have witnessed during the French and German War, where stupidity assailed intelligence and failed.

THE HAZING AND THE PUNISHMENT.

Now let us look at the causes which induced me to write this pamphlet. My son was charged with "Violation of an Act of Congress, to prevent Hazing at the Naval Academy." While on board the Constellation he was accused, first, of having made a fourth-classman take with

ing flourished at Annapolis, nevertheless, and last February three more cadets were dismissed for hazing, one of them another star member of my son's class.

his mouth a cent from the bottom of a basin of water; second, of having stood guard with a stick in his hand over four fourth-classmen in the bath-room, so as to keep them there; third, of having required a fourth-classman to sing seamanship notes.

A copy of the testimony in the above case was kindly sent on by the Secretary of the Navy. Instead of reproducing it in full, an extract therefrom made by the Hon. David McAdam, Chief Justice of the City Court of New York, together with his opinion thereon, is herewith presented:

In the matter of the proceedings of a Naval Court-Martial at the Naval Academy, in the case of Franklin Moeller, Naval Cadet.	*Taken Sept.* 6 *and* 7, 1883.

THE CHARGE

Against Franklin Moeller was that he violated the provisions of the act of Congress, approved June 23d, 1874, which reads as follows: "When it shall come to the knowledge of the Superintendent of the Naval Academy at Annapolis, that any cadet-midshipman or cadet-engineer has been guilty of the offence commonly known as hazing, it shall be the duty of the said superintendent to order a court-martial, composed of not less than three commissioned officers, who shall minutely examine into all the facts and circumstances of the case and make a finding

thereon; and any cadet-midshipman or cadet-engineer found guilty of said offence by said court shall, upon recommendation of said court, be dismissed; and such finding, when approved by said superintendent, shall be final; and the cadet so dismissed from said Naval Academy shall be forever ineligible to re-appointment to said Naval Academy."

THE SPECIFICATIONS.

The offence is said to have been committed while serving on board the U. S. Practice-ship Constellation in making the passage from Annapolis, Maryland, to Portsmouth, New Hampshire; and the specifications assign the following grounds of complaint.

First. That Moeller assisted in hazing Naval Cadet Galloway, by requiring him to take with his mouth a coin from the bottom of a basin of water.

Second. That Moeller hazed Cadets Moore, McGee, Eyre and Durell, requiring them to remain in the bath-room of said ship, and stood guard over them with a stick.

Third. That Moeller hazed Cadet Steber by requiring him to sing seamanship notes.

DEFENCE.

Moeller denied all the charges and pleaded "not guilty."

FINDING OF THE COURT.

The court held as follows:

First specification. Proven. Except the words, "requiring the said Galloway to take with his mouth a coin from the bottom of a basin of water."

Second specification. Proven. "Except as to McGee."

Third specification. Proven. Except as above qualified, the court found Moeller guilty, and recommended his dismissal.

EVIDENCE.

First specification. Galloway, the person said to have been hazed, was sworn, and testified, "Mr. Campbell made me get the coin from the wash-bowl."

Q. Was the accused present, and did he partake in the proceedings?

A. He was present, *but he did not take any part in the proceedings.*

Q. Did you *look* upon his presence as accidental?

A. No.

Q. Did you consider him as forming one of the parties of hazers?

A. No.

Second specification. F. G. Moore was sworn, and testified.

Q. Did Mr. Moeller on any occasion require you to remain in the bath-room of the Constellation?

A. No.

Q. Did he ever stand guard over cadets required to remain there?

A. I don't think he did.

Q. Did you see the accused standing guard with a stick over any of the cadets so detained?

A. No, sir.

Q. Did you see a stick of any description in the hands of the accused on this occasion?

A. No, sir.

McGee testified that Moeller did not haze him, and as to McGee the court found Moeller "not guilty."

W. P. Eyre testified that Moeller did not require him to remain in the bath-room, and did not tell him to remain there. That he did not think Moeller stood guard over the room, and did not have a stick in his hand.

Q. Did you *look* upon the accused as one of the hazers?

A. Yes.

E. H. Durell testified to the same effect, with the addition that he did not think Moeller took any part in the hazing.

Third specification. Benjamin Steber was sworn, and testified. I was told to sing by Mr. Trapnell. I did sing once, and then I was told to sing again. I hesitated a little, *and, as nearly as I recollect,* Mr. Moeller then spoke to me. *The exact language I do not remember.* The *meaning,* however, was that I had better hurry up and sing, *and if I remember correctly,* he said he would stand me on my head if I did not sing.

Mr. Trapnell was sworn, and testified that Mr. Moeller did not request Steber to sing and did not threaten to stand him on his head.

NOTE.

The above is a fair digest of the evidence. From the preceding statement and evidence carefully considered, I draw the following conclusions:

Opinion of Hon. David McAdam, Chief Justice of the City Court of New York.

The act of Congress before referred to does not define hazing nor does it declare when nor where the act must be committed in order to constitute the offence. It is aimed

at an abuse "commonly known as hazing." The words in quotation are so expressed in the act.

This leads us to inquire what is "commonly" known as hazing.

The term "haze" literally means to frighten or terrify, but as "commonly" known, it implies violence or conduct accompanied by threats which, from their character and the surrounding circumstances, one is put under that duress of fear which impels him to do acts and submit to indignities contrary to his inclination and will. As "commonly" understood, it does not refer to the school-room of the Academy, which is supposed to be under the influence and control of tutors capable of giving instruction in ethics, and at the same time enforcing such discipline as proper conduct and the good order of the school require. Hazing, like other acts of indiscretion indulged in by college students, is generally committed in and about the college grounds in the absence of the restraining influence of their preceptors. To say that hazing can go on in the school-room of the Academy or in a training-ship controlled by officers capable of instructing others in all that is good and manly, is to admit in the strongest manner the inefficiency of school discipline, and the utter incapacity of those in control. That the offences charged to young Moeller could have been committed on board of a training-ship officered by his superiors in age and rank, is discreditable alike to them and to the lax system of discipline which makes such things possible **in a place where the parents have the right to expect that good order and discipline will be the rule, not the exception.**

But to the evidence: There was no proof tending in the slightest degree to show that Moeller was guilty of the first or second specifications. The persons said

to have been hazed testified that Moeller was not one of the hazers. That he was *present* did not criminate him. He was on board of the ship at a place where he had a legal right to be without being called to account for his presence. The witness *Eyre* was asked in reference to the second specification :

Q. Did you *look* upon the accused as one of the hazers ?

A. Yes.

No *fact* warranting this impression was shown, and all the other witnesses agreed that it was not justified by the facts.

As to the third specification, the witness Steber did not prove a single act on the part of Moeller showing that he had intimidated him. He says that *Trapnell* told him to sing, and he sang.

He says that he was told to sing again, and that he hesitated.

Then follows this remarkable statement, which is all there is in the case to inculpate Moeller : " *As nearly as I recollect* Mr. Moeller then spoke to me. *The exact language I do not remember ;* the meaning, however, was that I had better hurry up and sing, *and, if I remember correctly*, he said he would stand me on my head if I did not sing." As Moeller had done no act or thing to Mr. Steber, he was not guilty of hazing, unless he used language which in its proper acceptation amounted in law to hazing. It therefore became important to ascertain the exact language used by the accused. Instead of giving it in a straightforward manner, the witness confessed that he could not give the language used, but said, with other reservations and qualifications, *that if he remembered correctly*, it was so and so. This was the evidence of the man who was hazed. It was too vague and unreliable to convict any one on. Character would, indeed, stand on a

thin thread if it could be destroyed by such testimony. But to remove any doubt which this statement might create, *Trapnell*, who had every interest in screening himself, and none in exculpating Moeller, *swore positively* that Moeller did not tell Steber to sing and did not threaten to stand him on his head.

Upon this evidence Moeller ought to have been honorably acquitted. Every one is presumed innocent until proved guilty, and the *onus* of proving guilt is upon the prosecution, and it must be established *beyond all reasonable doubt*, or the accused must be acquitted. These plain elementary rules were disregarded in this case. I therefore disapprove of the finding of the court-martial, as it is not justified by the evidence interpreted according to legal rules. The Annual Register of the Naval Academy, published in 1883, shows that Moeller was at the head of his class, that promotion soon awaited him. This record could have been earned only by diligent effort and exemplary conduct. That such a promising cadet should be degraded by dismissal on such flimsy testimony is almost past belief. I sympathize with him and with you as his father, and find consolation only in the fact that no intelligent, unbiassed man can read the official notes of the evidence as I have done, and come to any other conclusion than that your son is innocent of the charge upon which his dismissal was founded. I remain, truly yours,

DAVID MCADAM.

Far be it from me to excuse my son for what he did. But I solemnly protest against the finding of the court, and the superintendent's approval! And if doing what he did deserved extreme punishment, then *justice is at fault!*

The proceedings of the court-martial—a high-sounding name—and the testimony given, I cannot help likening to an investigation in a primary school, where the teacher, after vainly endeavoring to get at the facts, thinks it necessary to make an example of some one, in order to frighten the rest.

It was reported in the newspapers, though I cannot vouch for the veracity thereof, that the superintendent was determined to punish even those who looked on while hazing was done, yet he did not even punish all the hazers. For instance, in the case of Mr. Kress, who heads the merit-roll of his class. Mr. Kress admitted that he had made a fourth-class man stand on his head ; the court-martial found him guilty, but the superintendent did not approve of the finding of the court, and Mr. Kress went out scot-free.

HAD I GIVEN UP MY SON TO THE UNITED STATES?

Nothing has puzzled me more since my visit to Annapolis than the remark of the superintendent : "You have given up your son to the United States."

Suppose, then, that at any time last year I should have demanded my son back, could I have compelled the Government to give him up ? Certainly not.

If my son had sent in his resignation on account of bad treatment, for instance, such treatment as he received from some of his comrades, or for any other cause, would the Government have been obliged to accept it ? No.

Then, if the life at the Academy had become unbearable, and he had seen no other way out of his trouble but to run away, what would the Government have done ? It

DO NOT REMOVE
OR
MUTILATE CARD